



Saint Paul Planning Commission

City Hall Conference Center Room 40
15 Kellogg Boulevard West

Agenda

Christopher B. Coleman,
Mayor

April 29, 2011
8:30 – 11:00 a.m.

Saint Paul
Planning Commission

Chair

Jon Commers

First Vice Chair

Barbara A. Wencil

Second Vice Chair

Paula Merrigan

Secretary

Anthony Fernandez

Pat Connolly

Gene Gelgelu

Bree Halverson

Richard Kramer

Gaius Nelson

Christopher Ochs

Trevor Oliver

Julie Perrus

Marilyn Porter

Elizabeth Reveal

Anthony Schertler

Robert Spaulding

Terri Thao

Jun-Li Wang

Daniel Ward II

David Wickiser

Roxanne Young

Planning Director

Donna Drummond

I. Approval of minutes of April 15, 2011

II. Chair's Announcements

III. Planning Director's Announcements

IV. Zoning Committee

SITE PLAN REVIEW – List of current applications. (*Tom Beach, 651/266-9086*)

NEW BUSINESS

#11-115-463 Teng Scott Vang – Re-establishment of nonconforming use as a duplex.
980 Fuller Avenue, SW corner at Chatsworth. (*Kate Reilly, 651/266-6618*)

#11-116-461 TNT Fireworks – Conditional Use Permit for seasonal outdoor sales of
consumer fireworks. 1440 University Avenue West, NE corner at Pascal and St.
Anthony. (*Kate Reilly, 651/266-6618*)

V. Comprehensive Planning Committee

VI. Neighborhood Planning Committee

Amendment of Redevelopment Plan for Riverfront Redevelopment Project Area –
Approve resolution finding the amendment of the project area in conformance with the
Comprehensive Plan. (*Martin Schieckel, 651/266-6580*)

VII. Ford Plant Update – Informational presentation by Merritt Clapp-Smith, PED staff.
(*Merritt Clapp-Smith, 651/266-6547*)

VIII. Transportation Committee

IX. Communications Committee

X. Task Force Reports

XI. Old Business

XII. New Business

XIII. Adjournment

Information on agenda items being considered by the Planning Commission and its committees can be found at www.stpaul.gov/ped, click on Planning.

Planning Commission Members: PLEASE call Sonja Butler, 651/266-6573, if unable to attend.

**Saint Paul Planning Commission &
Heritage Preservation Commission**
MASTER MEETING CALENDAR

WEEK OF APRIL 25-29- 2011

Mon (25)

Tues (26)

4:00- Comprehensive Planning Committee
5:30 p.m. (Penelope Simison, 651/266-6554)

Room 1106 – CHA
25 Fourth Street West

Establishments Serving Wine, Beer or Liquor
Staff report on proposed zoning amendments to use definitions and off-street parking requirements and option to schedule a public hearing before the Planning Commission (City Council public hearing is mandatory).
(Merritt Clapp-Smith, 651/266-6547)

Weds (27)

Thurs (28)

5:00 p.m. Heritage Preservation Commission

Room 40 City Hall
Lower Level
Enter building on 4th Street
15 W. Kellogg Blvd.

Discussion

Chapter 73 and 74 Ordinance Revisions, discuss draft language, suggested revisions, goals and strategies. This is a follow-up discussion from the retreat held on March 31st. (Spong, 651/266-6714)

Group 1: Demolition Delay (Ferguson)

Group 2: Enforcement and Demolition by Neglect (Trout-Oertel)

Group 3; Fees (Thomas)

Fri (29)

8:30- Planning Commission Meeting
11:00 a.m. (Donna Drummond, 651/266-6556)

Room 40 City Hall
Conference Center
15 Kellogg Blvd.

Zoning..... SITE PLAN REVIEW – List of current applications. (Tom Beach, 651/266-9086)

NEW BUSINES

#11-115-463 Teng Scott Vang – Re-establishment of nonconforming use as a duplex. 980 Fuller Avenue, SW corner at Chatsworth. (Kate Reilly, 651/266-6618)

#11-116-461 TNT Fireworks – Conditional Use Permit for seasonal outdoor sales of consumer fireworks. 1440 University Avenue West, NE corner at Pascal and St. Anthony. (*Kate Reilly, 651/266-6618*)

Neighborhood Planning

Committee..... Amendment of Redevelopment Plan for Riverfront Redevelopment Project Area – Approve resolution finding the amendment of the project area in conformance with the Comprehensive Plan. (*Martin Schieckel, 651/266-6580*)

Informational Presentation.... Ford Plant Update – Informational presentation by Merritt Clapp-Smith, PED staff. (*Merritt Clapp-Smith, 651/266-6547*)

**Saint Paul Planning Commission
City Hall Conference Center
15 Kellogg Boulevard West**

Minutes April 15, 2011

A meeting of the Planning Commission of the City of Saint Paul was held Friday, April 15, 2011, at 8:30 a.m. in the Conference Center of City Hall.

Commissioners Present: Mmes. Halverson, Merrigan, Perrus, Reveal, Thao, Wencil, Young; and Messrs. Commers, Connolly, Fernandez, Gelgelu, Kramer, Ochs, Oliver, Schertler, Spaulding, Ward, Wickiser.

Commissioners Absent: Mmes. *Porter, *Wang, and Mr. *Nelson.
*Excused

Also Present: Donna Drummond, Planning Director; Patricia James, Kate Reilly, Penny Simison, and Sonja Butler, Department of Planning and Economic Development staff.

I. Approval of minutes April 1, 2011.

MOTION: *Commissioner Thao moved approval of the minutes of April 1, 2011. Commissioner Gelgelu seconded the motion. The motion carried unanimously on a voice vote.*

II. Chair's Announcements

Chair Commers announced that the Great River Gathering dinner is on May 12th. Commissioner interested in attending should talk with Donna Drummond to sign up for the dinner. This is an annual event and it would be nice to once again have a Planning Commission presence there.

III. Planning Director's Announcements

Donna Drummond reported that the City Council introduced a few amendments to the Central Corridor Zoning Study at last Wednesday's meeting. Councilmember Carter proposed changing the classification on some of the properties from T3 to T2 in certain areas east of Lexington Parkway and also to limit the ability to apply for a conditional use permit for additional height in T3 east of Lexington. Because of these changes the City Attorney's office has advised the Council to have another public hearing on just those amendments, which will be next Wednesday, April 20th at 5:30 p.m. in the Council chambers. Also last Wednesday the City Council approved the Highland Village Zoning Study. Councilmember Harris made an amendment prior to the hearing to remove properties in the northern edge of the study area that were proposed to be rezoned to T2. They will remain zoned RM2 (multi-family residential) and a few are OS (office service), but the rest of the rezonings were approved.

Regarding APA memberships, commissioners who have not yet paid and still want to join or

renew their membership should give Ms. Drummond a check today as she needs to turn it in as a group membership for the Planning Commission. Also, reservations and checks for the Great River Gathering dinner sponsored by the St. Paul Riverfront Corporation will be accepted now thru May 2nd.

IV. Zoning Committee

STAFF SITE PLAN REVIEW – List of current applications. (*Tom Beach, 651/266-9086*)

Two items came before the Site Plan Review Committee on Tuesday, April 12, 2011. They were: Como Elementary Bus Drop-Off located at 780 Wheelock Parkway West, sidewalks, signage and striping drop-off zone, ADA route, and Stroh Brewery Site Stormwater Pond located at 707 Minnehaha Avenue East, relocate pond and pave demolished building footprint.

One item to come before the Site Plan Review Committee on Tuesday, April 19, 2011 is: Obama School Parking Lot located at 707 Holly Avenue, replace pavement.

OLD BUSINESS

#11-103-193 Red Dog Holdings LLC - Conditional Use Permit for a pawn shop with modification of separation requirement between pawn shop and alternative financial establishment (1053.5 ft. existing, 1320 ft. required). 1891 Suburban Avenue, NW corner at Burns. (*Penelope Simison, 651/266-6554*)

Commissioner Kramer stated that one of the requirements for a pawnshop is that it is located 1,320 feet from any existing alternative financial establishment, and in this case the distance requirement is not met. The pawn shop is one piece of a multi-piece development at this address. The committee recommends denial of the modification and the accompanying conditional use permit because the separation requirement is not met.

MOTION: *Commissioner Kramer moved the Zoning Committee's recommendation to deny the conditional use permit for a pawn shop.*

Commissioner Spaulding stated he was not in favor of the committee's recommendation. He believes the pawn shop conditional use permit should have been approved for a variety of reasons. Commissioner Spaulding distributed an alternative set of findings that could be used in place of the Zoning Committee's findings in the resolution. He stated that his document is not a substitute motion, but if the commission wishes to adopt his findings they should vote 'no' on the Zoning Committee's recommendation. The alternate findings could then be used as a basis for approving the pawn shop application.

Chair Commers stated for clarification that what is currently on the floor is the committee's recommendation, and what Commission Spaulding is circulating is a document to facilitate discussion.

Commissioner Spaulding said the document he handed out was based on conversations with City staff about what alternative findings could look like. He noted that the language is not final. Commissioner Spaulding read his alternative findings and resolution into the record. He explained that the crux of this case is the modification of the distance requirement between the

Piggy Bank (an alternative financial establishment) and the pawn shop. The code requires 1,320 feet, and instead the distance that would separate them under the proposal is 1,053.5 feet, for a difference of about 250 feet. The character of the street is such that the distance is not impactful; there is no surrounding residential use directly adjacent to the property or nearby. All of those factors suggest that the impact of modifying the distance requirement would be relatively minor. So he finds it would be appropriate to modify the distance requirement and appropriate to then approve the conditional use permit for a pawnshop at this site.

Commissioner Oliver spoke in support of the alternate findings and he gave his thoughts on the key issues for discussion. First the justification for the modification, in his view, is not its size. This is a six acre site and it's possible to locate the pawn shop elsewhere on this site outside of that quarter mile perimeter. Putting the pawn shop in the existing dealership puts it on the inside of the development, which is the least impactful location for it in his opinion. Modifying the distance allows it to be put where it best fits within the entire development and within the neighborhood. He supports adopting the alternate findings and also ensuring that this entire development gets built.

Commissioner Wickiser said that he does not disagree with a lot of the comments, but he would be more in favor of the developer putting the pawnshop in a different location on the site.

Commissioner Connolly asked how long the Piggy Bank has been there. Commissioner Kramer estimated that it has been there close to 5-years.

Commissioner Connolly also asked about the reasoning for requiring a quarter-mile separation.

Patricia James, PED staff, explained that in Saint Paul a typical city block is 660 feet long by 330 feet deep, so a quarter mile is basically two blocks. The zoning code uses that distance for a number of other uses where a concentration is undesirable.

Commissioner Fernandez asked about the classification of the Piggy Bank.

Penelope Simison, PED staff, explained that initially staff thought that the Piggy Bank was not an alternative financial establishment, because its primary business was wire transfers. However, the ordinance states that check cashing shall be incidental to the primary business of the establishment, and staff ultimately concluded that the check cashing function was not an incidental part of this business.

Commissioner Wickiser distributed copies of the September 10, 2010 Planning Commission minutes where a resolution was passed and discussed regarding the distance requirement between alternative financial establishments and pawn shops. The discussion was geared toward severely restricting the pawn shop use by putting in these distance requirements. The proposed resolution for this case is consistent with the distance requirement that was approved by the Planning Commission in 2010.

Commissioner Thao asked if check cashing is the primary business at the Piggy Bank. Ms. Simison said that it is more accurate to say that it is not incidental.

Commissioner Kramer said that the incorporated name of the business is The Piggy Bank Checks Cashed. The issue as to the exact nature of the business relates directly to why the City passed

the ordinance. The City's ordinance says if you are in the business of cashing checks, you're a check casher, unless your business is a bar that cashes someone's paycheck or a grocery store, for example. The determination of alternative financial establishment is based on the activity. Commissioner Kramer also summarized the case: there are four buildings proposed on the site for a total of 42,000 plus square feet. The Zoning Committee is recommending approval of three of the four conditional use permits and 81% of the square footage as requested by the applicant. They did not recommend the modification between the two land uses. He does not totally disagree with the layout of the site plan, but he did not hear any testimony that explained why the pawn shop needed to be put in the existing building and why it could not be put on the western portion of the site. Commissioner Oliver and Commissioner Spaulding's interpretations are reasonable conclusions, but he thinks they are lacking any evidence that the site cannot be used without that modification.

Commissioner Wencil called attention to the finding in the resolution that states the pawn shop as proposed does not achieve the goals of the Sun Ray-Suburban Small Area Plan and is not in substantial compliance with the plan. When the small area plan was done, it did not talk about alternative plans for this site, because no one thought it was necessary -- it was an established business at the time. Now the Commission is put in the position of trying to decide what a good mix of uses is for this site. She cautioned not to just jump on any plan that comes along because of the economic times. We need to look at what is the best use for the land. This is a large enough parcel of land that there are other possible uses that might be a better fit.

Commissioner Perrus spoke in opposition to the motion currently on the table recommended by the Zoning Committee. The argument seems to be where on the existing site plan the pawn shop should be located. She trusts the site plan that was submitted and the way it looks, which is supported by the district council. So, that is how the site should look at the end of the day.

Commissioner Young stated she does not see sufficient evidence for why the pawn shop has to be located within the existing building as opposed to being in one of the new buildings that will be constructed in another area of the site, so she supports the Zoning Committee's recommendation.

Chair Commers called for a roll call vote with each commissioner voting to approve the Zoning Committee recommendation stating the reasons for their vote. Chair Commers stated that it would be sufficient to simply say that the vote is based on the findings as stated in the resolution.

ROLL CALL VOTE: *The motion to deny the conditional use permit failed on a roll call vote of 5-12 (Commers, Connolly, Fernandez, Gelgelu, Halverson, Ochs, Oliver, Perrus, Reveal, Spaulding, Thao, Ward,) with 1 abstention (Merrigan).*

Commissioner Ward moved approval of the conditional use permit for a pawn shop based on the alternative findings, recommendation, and conditions that Commissioner Spaulding previously read into the record and distributed. Commissioner Fernandez seconded the motion.

Commissioner Spaulding said that condition 9 has been brought to his attention. He suggested that it be changed to: "The conditional use permit and modification of the separation requirement", instead of the way it is presently worded. Commissioners Ward and Fernandez accepted this as a friendly amendment.

Commissioner Perrus expressed concern about the enforceability of condition 9.

Commissioner Spaulding explained that there could be some tweaking in the language. The language of the condition is intended to clarify that the pawn shop merits a separation modification only if the entire site is developed as represented by the applicant. If the site is not developed per the applicant's representation within two years, then the pawn shop has to move some place else on the site that meets the separation requirement.

Commissioner Oliver stated his view that there can be a time restriction within a condition if it's related to the findings. While the Commission cannot have a condition that only allows the pawn shop for two years, that's not what is being said. If the site is built out at the same time, and the pawn shop does not open its doors until everything else is built out, then the condition is met. If the pawn shop opens its doors before the rest is complete, the condition could potentially not be satisfied if that time element is not met. They are not creating an actual sunset on this permit as a whole.

Commissioner Kramer found two statements in the resolution that could be better phrased. The first is a statement that hardship exists because a fast food drive through cannot be put in the existing building. While that may or may not be true, there was not any testimony to that and it is a poor justification. It should be rephrased. The same paragraph also includes reference to the applicant having been given letters of intent. Commissioner Kramer does not think that the applicant ever testified to that, and he thinks this resolution should not be that specific. The resolution should use a more general statement about the proposed uses.

Chair Commers stated that those are two specific proposed amendments, would the maker of the motion and the seconder of the motion find them to be friendly. Commissioner Ward and Fernandez agreed that they are friendly.

Commissioner Spaulding said that, in general, the findings section of the document he proposed and communicated is generally what will be in the resolution, but staff may find other changes that should be made. What is relatively close to the final form is the exact wording of the conditions placed on the conditional use permit.

MOTION: *Commissioner Ward called the question on the motion approving the conditional use permit for a pawn shop, with modification of separation requirement and an alternative financial establishment as specified in the alternative findings provided by Commissioner Spaulding. The motion carried on a voice vote with 4 votes against (Kramer, Wencl, Wickiser, Young) and with 1 abstention (Merrigan).*

#11-112-696 Red Dog Holdings LLC - Conditional Use Permit for an auto specialty store. 1891 Suburban Ave, NW corner at Burnis. (Penelope Simison, 651/266-6554)

Commissioner Kramer stated that the conditions on the permit are tailored to permit an auto use that works with the rest of the proposed uses on the site.

MOTION: *Commissioner Kramer moved the Zoning Committee's recommendation to approve the conditional use permit subject to additional conditions. The motion carried on a voice vote with 1 abstention (Merrigan).*

#11-112-697 Red Dog Holdings LLC - Conditional Use Permit for a fast food restaurant with drive through service. 1891 Suburban Ave, NW corner at Burns.
(Penelope Simison, 651/266-6554)

Penelope Simison, PED staff said that attached to the resolution is the Litter Collection Plan, which was worked out in collaboration with District 1. It addresses the issues raised at the public hearing, including the responsibility of the property owner with respect to the site itself. The property owner also agrees to participate in the Public Works Program called Come Clean, which is a community effort with participating businesses to pick up litter that those businesses generate.

MOTION: *Commissioner Kramer moved the Zoning Committee's recommendation to approve the conditional use permit subject to additional conditions. The motion carried on a voice vote with 1 abstention (Merrigan).*

#11-112-698 Red Dog Holdings LLC - Conditional use permit for a fast food restaurant with drive through service. 1891 Suburban Ave, NW corner at Burns.
(Penelope Simison, 651/266-6554)

Penelope Simison, PED staff, said that attached to the resolution is the Litter Collection Plan, which was worked out in collaboration with District 1. It addresses the issues raised at the public hearing, including the responsibility of property owner with respect to the site itself. The property owner also agrees to participate in the Public Works Program called Come Clean, which is a community effort with participating businesses to pick up litter that those businesses generate.

MOTION: *Commissioner Kramer moved the Zoning Committee's recommendation to approve the conditional use permit subject to additional conditions. The motion carried on a voice vote with 1 abstention (Merrigan).*

NEW BUSINESS

#11-111-350 Dr. Justin O'Brien - Establishment of legal nonconforming use as a yoga / trade school. 1317 Summit Ave, between Hamline and Syndicate. (Kate Reilly, 651/266-6618)

MOTION: *Commissioner Kramer moved the Zoning Committee's recommendation to approve the establishment of legal nonconforming use status subject to additional conditions. The motion carried unanimously on a voice vote.*

#11-111-117 Saldi LLC - Rezoning from TN2 Traditional Neighborhood to B3 General Business. 150 Cesar Chavez St, between George and Robert. (Lucy Thompson, 651/266-6578)

Commissioner Kramer stated that the proposed rezoning is not consistent with various portions of the Comprehensive Plan and they are outlined in the resolution. Also the proposed rezoning would not be compatible with surrounding uses and the current TN2 zoning allows a large number of reasonable choices of use for the property.

Commissioner Thao asked if there other options.

Commissioner Oliver said he does not see a way to rezone this property. One option could be to amend TN2 uses to permit what this person does. He suggested postponing action on the conditional use permit until the Commission can consider a zoning amendment to the TN2 use table.

Donna Drummond, Planning Director, said that under the 60 day rule a decision must be made, otherwise the application is approved, and there would not be sufficient time within that 60-day period to amend the zoning code and get it through City Council approval

Commissioner Young stated that they had spoken with the owner of this business, and when going through the rezoning process they had multiple community meetings and mailings. The owner stated that he did not participate in the process because he didn't think that it would affect him adversely. They are a good business and she would support an exception in TN2.

Commissioner Kramer said that this use would not have been permitted under the previous B2 zoning either. There are two issues here, one is that it is prohibited in the zoning district and the second is that it is prohibited within so many feet of residential property. This operator can cash checks now as an incidental activity but they want to become a check cashing store. The rezoning and the conditional use permit go with the land, so if it gets rezoned to B3 and this proprietor goes away, there could be an automotive use there or a pawn shop or whatever. They would also have to comply with the state's ¼ mile distance separation from other check cashing stores as well. It is not an easy fix. He also expressed doubt that the City Council would permit this use in the TN2 district citywide.

Commissioner Wickiser stated that while this operator is a good one, the ordinance recently passed expressed the intent to restrict the locations for this type of use.

Commissioner Reveal expressed concern about the appearance that we make exceptions to the ordinance whenever asked. She stated that the Commission should set a high hurdle for exceptions.

MOTION: *Commissioner Kramer moved the Zoning Committee's recommendation to deny the rezoning. The motion carried unanimously on a voice vote.*

#11-111-120 Saldi LLC - Conditional Use Permit for alternative financial establishment with modification of required distance from residential property. 150 Cesar Chavez St, between George and Robert. (Lucy Thompson, 651/266-6578)

MOTION: *Commissioner Kramer moved the Zoning Committee's recommendation to deny the conditional use permit. The motion carried unanimously on a voice vote.*

Commissioner Kramer announced the items on the agenda for the next Zoning Committee meeting on Thursday, April 21, 2011.

V. Comprehensive Planning Committee

Central Corridor Station Area Plans-Western, Victoria & Hamline Station Areas – Approve a resolution recommending to the Mayor and City Council adoption of the plans as addenda to the Central Corridor Development Strategy, a chapter of the City's Comprehensive Plan.

Commissioner Merrigan said that they had a public hearing and an overview of the public hearing comments was provided. These have been reviewed by the committee and changes recommended in response. The committee has forwarded a resolution to recommend the station area plans for Western, Victoria and Hamline Station Areas to the Mayor and Council.

MOTION: Commissioner Merrigan moved the Comprehensive Planning Committee's recommendation to approve the resolution for the Western, Victoria & Hamline Station Area Plans recommending that the Mayor and City Council adopt as addenda to the Central Corridor Development Strategy, a chapter of the City's Comprehensive Plan. The motion carried unanimously on a voice vote.

Commissioner Merrigan announced that the next meeting is on Tuesday, April 26, 2011.

VI. Neighborhood Planning Committee

Solar Energy Systems Zoning Study – Approve a resolution initiating a zoning study to consider amendments to the Zoning Code pertaining to solar energy systems. (Kate Reilly, 651/266-6618, and Allan Torstenson, 651/266-6579)

MOTION: Commissioner Wencil moved the Neighborhood Planning Committee's recommendation to approve the resolution initiating a zoning study to consider amendments to the Zoning Code pertaining to solar energy systems. The motion carried unanimously on a voice vote.

Wind Turbines Zoning Study – Approve a resolution initiating a zoning study to consider amendments to the Zoning Code pertaining to wind turbines. (Kate Reilly, 651/266-6618, and Allan Torstenson, 651/266-6579)

MOTION: Commissioner Wencil moved the Neighborhood Planning Committee's recommendation to approve the resolution initiating a zoning study to consider amendments to the Zoning Code pertaining to Wind Turbines. The motion carried unanimously on a voice vote.

Commissioner Wencil announced the items on the agenda for the next Neighborhood Committee meeting on Wednesday, April 20, 2011.

VII. Transportation Committee

Citywide Sidewalk Infill Program - Approve a resolution providing recommendations to the Mayor and City Council regarding a citywide sidewalk infill program.

Commissioner Wickiser said that there was good discussion at the committee, which had approved the Citywide Sidewalk Infill program and also talked about how Public Works would interact with the Transportation Committee.

Christina Morrison, PED staff, said that the recommendation is to change the assessment policy, to allow for 50% assessment for residential properties in order to reduce the cost to the property owner, and to propose that Public Works embark on a 10-year sidewalk infill program, focusing first on adding sidewalks on one side of the arterial or collector streets. Ms. Morrison noted that the memo attached to the resolution contained various options, and that options 2, 5, and 6 are the ones that Public Works is looking to forward to City Council for their approval.

Commissioner Merrigan asked if the assessment could be added over 20-years to one's property taxes or if it is a one time assessment. Commissioner Kramer noted that the property owner could use either option.

Commissioner Wencil asked if McKnight Road is a Ramsey County or Saint Paul road. Ms. Morrison stated that she assumes it is an arterial street, and that the Saint Paul portion of McKnight may be eligible for the list of streets that would be targeted if it is missing sidewalks.

Commissioner Wencil stated that part of the street has a separate, striped area where people walk, and asked if that was considered a sidewalk. Ms. Morrison said that a sidewalk would be more than a striped shoulder. It would be a separated paved surface that would meet ADA code and allow safe pedestrian activity.

Commissioner Wencil asked if the entire area of Upper and Lower Highwood would be considered since there are no sidewalks on most cul-de-sacs. Ms. Morrison said the program would study arterial and collectors streets citywide; however, criteria will be used to prioritize the sidewalk infill projects. She stated that many parts of Highwood would not likely rank high on this list because the neighborhood does not have as much bus service, residential density, or commercial activity, and therefore may not perform well on a cost-benefit analysis.

Commissioner Kramer asked if there are going to high priority areas, and if there is a way for people to weigh in on those choices. Ms. Morrison said that the department of Public Works is recommending that there be an annual proposal for sidewalk infill projects, and that there would be a public hearing each year to discuss that proposal.

MOTION: Commissioner Spaulding moved the Transportation Committee's recommendation to approve the resolution with recommendations to the Mayor and City Council regarding a citywide sidewalk infill program. The motion carried unanimously on a voice vote.

Commissioner Spaulding announced that the next Transportation Committee meeting for Monday, April 18, 2011 has been cancelled.

VIII. Communications Committee

No report.

IX. Task Force Reports

Commissioner Wenc announced that the Near East Side Task Force will be meeting on Tuesday, April 19, 2011 at the Dayton's Bluff District 4 Community Council Office.

X. Old Business

None.

XI. New Business

None.

XII. Adjournment

Meeting adjourned at 10:36 a.m.

Recorded and prepared by
Sonja Butler, Planning Commission Secretary
Planning and Economic Development Department,
City of Saint Paul

Respectfully submitted,



Donna Drummond
Planning Director

Approved _____
(Date)

Anthony Fernandez
Secretary of the Planning Commission



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

SITE PLAN REVIEW COMMITTEE
TUESDAY April 26, 2011
2nd Floor Conference Room
375 Jackson Street, Suite 218

<u>Time</u>	<u>Project Name and Location</u>
9:30	Riverview Elementary School New drive / drop-off lane on vacated Woodbury Street 271 Belvidere
9:50	Harriet Bishop School New parking lot and storm water filtration modifications 540 Warwick

To Applicants:

You should plan to attend this meeting.

At this meeting you will have a chance to discuss the site plan for your project with Saint Paul's Site Plan Review Committee. The Committee is made up of City staff from Zoning, Traffic, Sewers, Water, Public Works, Fire, and Parks. You are encouraged to bring your engineer, architect, or contractor with you to handle any technical questions raised by city staff.

The purpose of this meeting is to simplify the review process by letting the applicant meet with staff from a number of departments at one time. Staff will make comments and ask questions based on their review of the plans. By the end of the meeting you will know if the site plan can be approved as submitted or if revisions will be required. Staff will take minutes at the meeting and send you a copy.

Parking

Parking is available at on-street meters. Some off-street parking spaces are available in our visitor parking lot off of 6th Street at Jackson.

To see a map of additional nearby parking ramps go to
<http://www.ci.stpaul.mn.us/depts/dsi/liep/info/location.html>

If you have any questions, please call Mary Montgomery at 651-266-9088 or
mary.montgomery@ci.stpaul.mn.us.



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

SITE PLAN REVIEW COMMITTEE
TUESDAY May 3, 2011
2nd Floor Conference Room
375 Jackson Street, Suite 218

<u>Time</u>	<u>Project Name and Location</u>
9:30	Chelsea Heights Elementary Parking lot mill and overlay, waterproof vault, concrete work 1557 Huron St
9:50	Cossetta's Italian Market Building addition and parking lot expansion 211 7 th St W

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<http://www.ci.stpaul.mn.us/depts/dsi/liep/info/location.html>

If you have any questions, please call Mary Montgomery at 651-266-9088 or
mary.montgomery@ci.stpaul.mn.us.



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

25 West Fourth Street
Saint Paul, MN 55102

Telephone: 651-266-6700
Facsimile: 651-228-3220

DATE: April 22, 2011
TO: Planning Commission
FROM: Zoning Committee
SUBJECT: Results of April 21, 2011 Zoning Committee Hearing

NEW BUSINESS

1. **Teng Scott Vang (11-115-463)**
Re-establishment of nonconforming use as a duplex

Address: 980 Fuller Ave
SW corner at Chatsworth

District Comment: District 8 recommended approval

Support: 1 person spoke, 2 letters

Opposition: 0 people spoke, 0 letters

Hearing: Hearing is closed

Motion: Approval with conditions

	<u>Recommendation</u>
<u>Staff</u>	<u>Committee</u>

Approval with conditions	Approval with conditions (7 - 0)
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2. **TNT Fireworks (11-116-461)**
Conditional use permit for seasonal outdoor sales of consumer fireworks

Address: 1440 University Ave W
NE corner of Pascal and St. Anthony

District Comment: District 13 recommended approval with conditions

Support: 0 people spoke, 1 letter

Opposition: 0 people spoke, 1 letter

Hearing: Hearing is closed

Motion: Approval with conditions

	<u>Recommendation</u>
<u>Staff</u>	<u>Committee</u>

Approval with conditions	Approval with conditions (7 - 0)
--------------------------	---------------------------------------

city of saint paul
planning commission resolution
file number
date

WHEREAS, Teng Scott Vang, File # 11-115-463, has applied for a re-establishment of nonconforming use as a duplex under the provisions of §62.109(d) of the Saint Paul Legislative Code, on property located at 980 Fuller Ave, Parcel Identification Number (PIN) 352923320090, legally described as University Subdivision Of lots Lot 1 Blk 5; and

WHEREAS, the Zoning Committee of the Planning Commission, on April 21, 2011, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of §61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. Mr. Vang recently purchased this property under the assumption that it was zoned for multi-family use. He plans to rehabilitate the property and occupy one unit as his primary residence and rent the top unit to an additional tenant. The property had been on the vacant building list and was unused for more than 365 days, resulting in the loss of its legal non-conforming status and the need for this application to re-establish the duplex use.
2. Section 62.109(e) states: When a nonconforming use of a structure, or structure and land in combination, is discontinued or ceases to exist for a continuous period of three hundred sixty-five (365) days, the planning commission may permit the reestablishment of a nonconforming use if the commission makes the following findings:
 - (1) *The structure, or structure and land in combination, cannot reasonably or economically be used for a conforming purpose.* This finding is met. Ramsey County Property records list this property as a two-family dwelling. It was constructed in 1928 and has two entry doors, one for each floor; two separate gas and electric meters; and two separate furnaces. Conversion to a single-family home would be difficult and not reasonable.
 - (2) *The proposed use is equally appropriate or more appropriate to the district than the previous nonconforming use.* This finding is met. The proposed use is equally appropriate to the district that the previous nonconforming use, as the previous nonconforming use was that of a duplex.
 - (3) *The proposed use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare.* This finding is met. The proposed use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare. The re-establishment of the nonconforming use will put a structure back into service that has been vacant for several years and fits with the development in the immediate neighborhood, which is a pattern of one- and two-family dwellings.

moved by _____
seconded by _____
in favor _____
against _____

- (4) *The proposed use is consistent with the comprehensive plan.* This finding is met. The proposed use is consistent with existing comprehensive planning documents. The Housing Chapter of the Comprehensive Plan states in Strategy H1.1 that housing choices should be increased across the city. Providing a duplex increases housing choice. The Summit-University District Plan (2007) has a goal of a "housing mix that provides life-long options for residents as they grow from start-up homeowners, to middle life, and through their senior years and to maintain the diversity of people living in the neighborhood." Providing a duplex offers a housing mix. In addition the plan seeks to "preserve current stock of housing, with special commitment to preservation of affordable housing." Re-establishing this non-conforming use as a duplex preserves the current housing stock.
 - (5) *A notarized petition of two-thirds of the property owners within one hundred (100) feet of the property has been submitted stating their support for the use.* This finding is met. The petition was found sufficient on April 1, 2011; 14 parcels eligible; 10 parcels required; 11 parcels signed.
 - (6) *The application for the permit shall include the petition, a site plan meeting the requirements of section 61.401, floor plans, and other information as required to substantiate the permit.* This finding is met.
3. The Planning Commission has established guidelines for applications for nonconforming use permits for duplexes. While not themselves requirements, these guidelines lay out additional more objective factors the Planning Commission wishes to consider in determining if the required findings for granting nonconforming use permits listed in §62.109 of the Zoning Code can be made. The Planning Commission's Duplex Conversion Guidelines state that for applications for nonconforming use permits for duplexes in residential districts, staff will recommend denial unless the following guidelines are met:
- A. *Lot size of at least 5000 square feet with a lot width or front footage of 40 feet.* This finding is met. The lot size is 5,040 square feet and the front footage is 42 feet. Including half the alley, the lot size increases to 5460 square feet.
 - B. *Gross living area, after completion of duplex conversion, of at least 1,500 square feet.* Neither unit shall be smaller than 500 square feet. This condition is met. Each unit is 1,345 square feet.
 - C. *Three off-street parking spaces (non-stacked) are preferred; two spaces are the required minimum.* This condition is met. There are two garage spaces.
 - D. *All remodeling work for the duplex is on the inside of the structure unless the plans for exterior changes are approved by the Board of Zoning Appeals as part of the variance. (The Planning Commission will approve these changes for the cases they handle.)* This condition is met. All remodeling work is in the interior of the structure.
 - E. *For the purpose of protecting the welfare and safety of the occupants of any structure that has been converted into a duplex without the necessary permits, a code compliance inspection shall be conducted and the necessary permits obtained to bring the entire structure into conformance with building and fire code standards; or the property owner must, as a condition of the approval, make the necessary improvements to obtain the necessary permits and bring the entire structure into building and fire code compliance within the time specified in the resolution.* This condition is met. A code compliance inspection has been conducted and the necessary permits obtained.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of Teng Scott Vang for a re-establishment of nonconforming use as a duplex at 980 Fuller Ave is hereby approved subject to the conditions that the applicant complies with all the requirements of the code compliance inspection and receives a certificate of occupancy for the building.

city of saint paul
planning commission resolution
file number
date

WHEREAS, TNT Fireworks, File # 11-116-461, has applied for a conditional use permit for seasonal outdoor sales of consumer fireworks under the provisions of § 65.526 of the Saint Paul Legislative Code, on property located at 1430 University Ave W, Parcel Identification Number (PIN) 342923310021, legally described as Auditors Subdivision No 27 Subj To St; The Fol Part Of Vac J F Eisenmengers 2nd Add & In Sd Kittsondale Being Aud Sub No.27 Part Of Lots 17, 18 & 19 Desc As Beg At Int Of El Of W 30 Ft Of Ne 1/4 Of Sw 1/4 Of Sec 34 Tn 29 Rn 23 & Nl Of Hwy 94 Th N On Sd El ; and

WHEREAS, the Zoning Committee of the Planning Commission, on April 21, 2011, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of §61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. TNT Fireworks proposes to occupy approximately 12 parking spaces in the north end of the Cub Foods parking lot, just to the south and east of the WalMart building in the Midway Marketplace shopping center for the purpose of selling consumer fireworks. A 30 ft. x 45 ft. tent will be erected for the sales. The leased area will also include space for a locked storage container to hold the fireworks when the business is closed. Proposed sales dates are June 25 to July 5, 2011, a period of 12 days. Proposed hours of operation are 9 a.m. to 8 p.m. each day.
2. The Zoning Code permits the outdoor sale of consumer fireworks as a conditional use in the B3 general business district subject to the standards and conditions of Section 65.526. Minnesota Statutes Sec. 624.20 Subd. 1(d) requires that outdoor sales of fireworks be permitted in those zoning districts where other outdoor sales are permitted, and the Saint Paul zoning code permits certain other outdoor sales in the B2 community business district. The standards and conditions for outdoor commercial sale of consumer fireworks are as follows:
 - (a) *The standards and conditions of section 65.525 shall apply: Sec. 65.525 states: The use shall not conflict with off-street parking, off-street loading and the system of pedestrian flow. The planning commission, in determining that the use is harmonious with adjacent uses, shall require the submission of a site plan including a floor plan and all uses within three hundred (300) feet of the boundary of said site superimposed on said site plan. This condition is met. The use is at the end of a row of parking, with no loading areas or sidewalks in the vicinity. There appears to be ample parking available for the permanent retail uses in the parking lot after the temporary loss of these 12 spaces. Reviewing aerial photos of the proposed location show that uses within 300 feet of the proposed sales area are other retail, parking lot, and public street.*
 - (b) *The use shall obtain all necessary permits from the city. Permits for outdoor sale of consumer fireworks shall be valid from June 25 to July 5 each year, during the Independence Day holiday*

moved by _____
seconded by _____
in favor _____
against _____

season. This condition is met. The applicant will apply for the required permit from the Saint Paul Fire Marshal. The applicant proposes sales from June 25 to July 5.

- (c) *All items offered for sale shall be kept within the sales structure. The sales structure shall be located at least twenty (20) feet from any other structure.* This condition is met. The applicant's plan shows a sales tent where the items will be kept. The tent is at least 30 feet from the nearest structure, Wal-Mart's outdoor garden center area.
- (d) *The sales structure shall be located at least one hundred (100) feet from the closest property line of any property used or zoned for residential use (excluding mixed commercial-residential uses).* This condition is met. The closest residentially zoned or used property is at least 800 feet away across University Avenue.
- (e) *An outdoor no-smoking area of fifty (50) feet surrounding the perimeter of the structure shall be maintained on the property. The fifty-foot non-smoking area must be physically marked. No portion of any public sidewalk, boulevard right-of-way, public street, or alley may fall inside the perimeter.* This condition is met. The buffer area does not include any portion of a public sidewalk, boulevard, street, or alley. The applicant has proposed locations for posting no smoking signs to create a 50-foot buffer at the perimeter of the tent and storage container area and at the entrances to the drive aisles on either side of the sales area. To the north, the required buffer area includes drive lanes through the shopping center and a portion of the Wal-Mart outdoor garden center. Additional signs will be placed on the exterior of the tent as well as inside. The location of all no smoking signs should be placed as directed by the Fire Marshal.
- (f) *The structure shall not be located within fifty (50) feet of a motor vehicle fuel dispenser.* This condition is met. There are no motor vehicle fuel dispensers in the Midway Marketplace shopping center.
- (g) *When the structure is unoccupied and not open for business, merchandise shall be secured or removed from the site.* This condition is met. The applicant states that the fireworks will be stored in a secure, metal container with tamper proof locks when the business is closed.

3. §61.501 lists five standards that all conditional uses must satisfy:

- (1) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.* This condition is met. This temporary use is consistent with the Central Corridor Development Strategy (2007), which calls for expanding retail and entertainment offerings in the Midway shopping district (p. 46). The Snelling Station Area Plan (2008) calls for this area to be "...a vital local and citywide hub that meets the needs of neighboring communities and offers a revitalized shopping and employment district." (p. 14) The plan further states that the south side of the station area, which includes this site, "...will over time develop into a new urban village, including a revitalized shopping district, with a restored street and block structure and a vital mix of uses." Because of the temporary and seasonal nature of this use, it does not conflict with these plans. The use is also generally consistent with Policy 18 in the Snelling-Hamline Neighborhood Plan Summary (adopted in 2008), which states: "Support the Midway Business District (located between University Avenue and I-94, along Hamline and Pascal), for use by the local community as well as regional consumers."
- (2) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. The site where the sales will be located should not interfere with ingress and egress from the adjacent public streets.
- (3) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* This condition is met. This use is temporary and seasonal in nature and will not permanently change the character of the area. Provided the applicant complies with all of the requirements of the National Fire Prevention Association (NFPA) standard as enforced by the Fire Marshal, the use will not

endanger the public health, safety or general welfare.

- (4) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This condition is met. The use will be temporary and seasonal in nature and will not impede the development and improvement of other properties in Midway Marketplace for uses permitted in the B2 zoning district.
- (5) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is met. The use is seasonal and located in a temporary structure, and complies with applicable regulations. The sales area within the tent requires 6 off-street parking spaces, which are available in the existing shopping center parking lot.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of TNT Fireworks for a conditional use permit for seasonal outdoor sales of consumer fireworks at 1430 University Ave W is hereby approved subject to the following conditions:

1. A permit from the Fire Marshal is approved and posted as required.
2. The use complies with all local and state regulations pertaining to the sales of consumer fireworks.
3. The consumer fireworks shall be securely stored during non-sales hours.
4. The dates of operation are limited to June 25 to July 5.
5. The hours of operation are limited to 9 a.m. to 8 p.m.

Samantha Langer - Item 2, 11-116-461 for 4/21/2011 Zoning Committee

From: "Mike and Benita" <warns@pclink.com>
To: <samantha.langer@ci.stpaul.mn.us>
Date: 4/21/2011 10:38 AM
Subject: Item 2, 11-116-461 for 4/21/2011 Zoning Committee
CC: <ward1@ci.stpaul.mn.us>, "Annie Johnson" <annie@unionparkdc.org>

Please provide this information to Mr. Kramer and the members of the Zoning Committee concerning Item 2, 11-116-461 on the 4/21/2011 agenda for the Zoning Committee.

I am opposed to sales of fireworks in tents, period. However, my understanding of Minnesota statutes makes it clear that such sales cannot be totally prohibited, but can be regulated. Several years ago, this same company, TNT Fireworks, attempted to set up a temporary fireworks tent sale in this same area. In spite of neighborhood opposition, they were granted the permit, but set up their tent on the wrong property, resulting in the cancellation of the sale. As a result of this, the City Council took time to study the issue of how to regulate fireworks tent sales. A number of community members, including me, provided significant input to the City Council and the resulting ordinance regulating fireworks sales in tents contains many of the protections requested by the community.

After review of the application from TNT, it appears that they can meet most of the conditions of the ordinance, but not all. There are two conditions that they must be required to meet. The first is the sale dates. The ordinance clearly spells out that fireworks tent sales are limited to the period from June 25 through July 5. This applicant is requesting an extension to almost double the length of the sale, specifically from June 20 through July 10. I strongly oppose any sales outside the period defined in the ordinance.

The second condition is the requirement to provide a 50-foot non-smoking perimeter from all edges of the tent, and that this perimeter must be physically marked. Since this ordinance was passed, I have yet to see a marked perimeter around a fireworks tent in St. Paul. Posting signs does not meet the requirements of the ordinance. I want to know how the applicant intends to physically mark the 50-foot perimeter around the tent.

Last year a different company, Renaissance Fireworks, operated a fireworks tent in the same location that TNT is applying for this year. I am attaching photos of the tent to show the lack of a marked perimeter.

Please require this applicant to adhere to all of the conditions outlined in the City ordinance concerning temporary sales of fireworks in tents as a condition of the permit. Do not allow this applicant to operate the tent outside the time limit specified in the ordinance, and require the applicant to physically mark the no-smoking perimeter as a condition to operate. Thank you.

Respectfully,

Benita Warns
1440 Lafond Avenue
St. Paul, MN 55104
651-641-1037



UNION PARK DISTRICT COUNCIL

1570 Concordia Avenue, Suite LL100, Saint Paul, MN 55104
p 651-645-6887 | f 651-917-9991 | e inf@unionparkdc.org | w www.unionparkdc.org

April 20, 2011

Mr. Richard Kramer, Chair
Zoning Committee
Saint Paul Planning Commission
25 West Fourth Street
City Hall Annex, Suite 1400
Saint Paul, Minnesota 55102

Re: Conditional use permit for seasonal outdoor sales of consumer fireworks at 1440 University Avenue W

Dear Mr. Kramer and Members of the Zoning Committee,

At a meeting of the Land Use Committee of Union Park District Council 13 on April 19, 2011, the Committee passed the following motion regarding the conditional use permit for seasonal outdoor sales of consumer fireworks at 1440 University Avenue West:

While the Land Use Committee of the Union Park District Council opposes the sale of fireworks, we recognize that per state law firework sales can be regulated by ordinance, but not prohibited. Therefore, we insist that TNT Fireworks follow and that the city enforce all conditions of section 65.526, specifically the following:

- A 50 foot perimeter labeling the 'no smoking' area must be physically marked; and
- The legal firework sales dates of June 25 through July 5 shall not be extended.

Thank you for your consideration during this process.

Sincerely,

Sarah Kidwell
Executive Director

***revised 4/18/11**

**AGENDA
ZONING COMMITTEE
OF THE SAINT PAUL PLANNING COMMISSION
Thursday, April 21, 2011 3:30 P.M.
City Council Chambers
Third Floor City Hall - Saint Paul, Minnesota**

NOTE: The order in which the items appear on this agenda is not necessarily the order in which they will be heard at the meeting. The Zoning Committee will determine the order of the agenda at the beginning of its meeting.

APPROVAL OF APRIL 7, 2011, ZONING COMMITTEE MINUTES

SITE PLAN REVIEW – List of current applications (Tom Beach, 651-266-9086)

NEW BUSINESS

- 1 11-115-463 Teng Scott Vang**
Re-establishment of nonconforming use as a duplex
980 Fuller Ave, SW corner at Chatsworth
R4
Kate Reilly 651-266-6618

- 2 11-116-461 TNT Fireworks**
Conditional use permit for seasonal outdoor sales of consumer fireworks
1440 University Ave W, NE corner of Pascal and St. Anthony
B2
Kate Reilly 651-266-6618

- *3 ~~11-116-521 Pink Dog Holdings LLC~~ Withdrawn by applicant on April 18, 2011**
~~Conditional use permit for a pawn shop, with modifications of required 150 ft. distance~~
~~between building and residentially zoned property and 1320 ft. separation requirement~~
~~from alternative financial establishments~~
~~2583 7th St W, between Wheeler and Wordsworth~~
~~B3~~
~~Sarah Zorn 651-266-6570~~

DISCUSSION

Denying zoning applications in the face of a staff recommendation to approve: revisiting the legal requirements of Minn. Stat. § 15.99, Subd. 2(b).
Assistant City Attorney, Peter Warner

ADJOURNMENT

ZONING COMMITTEE MEMBERS: Call Patricia James at 266-6639 or Samantha Langer at 266-6550 if you are unable to attend the meeting.

APPLICANT: You or your designated representative must attend this meeting to answer any questions that the committee may have.

**CITY OF SAINT PAUL**

Christopher B. Coleman, Mayor

25 West Fourth Street
Saint Paul, MN 55102Telephone: 651-266-6700
Facsimile: 651-228-3220

DATE: April 21, 2011

TO Planning Commission

FROM: Neighborhood Planning Committee

SUBJECT: Amendment of *Redevelopment Plan for Riverfront Redevelopment Project Area*

BACKGROUND

The Housing and Redevelopment Authority (HRA) of the City of Saint Paul is seeking a modification of the Riverfront Redevelopment Project Area boundaries in order to provide Tax Increment Financing (TIF) for a proposed expansion of Cossetta's, located at 211 West Seventh Street. In order to provide TIF for the project, the City/HRA must first establish a new TIF district. In order to establish a new TIF district, under State law, a Redevelopment Plan must first be approved. There is an existing Redevelopment Plan for the Riverfront Redevelopment Project Area (RDPA), whose northern boundary is across the street from the Cossetta property. The request is to expand the existing RDPA to include the Cossetta block so that the project will qualify for TIF. See Attachment A for a map of the existing RDPA, along with the requested expansion (the block bounded by West 7th Street, Chestnut Street, Smith Avenue, and Kellogg Boulevard, highlighted in gray).

Cossetta's operates a successful Italian market and restaurant at the northeast corner of Chestnut and West Seventh streets. The parcels are zoned B-5. The market opened in a different, nearby location in 1978, and the restaurant was added in 1984 when the two operations moved to their current location. Cossetta's is seeking approval of \$2,000,000 in Jobs Bill TIF funding from the HRA for a dramatic expansion of the market and restaurant (see Attachment B for project images):

- A new multi-level structure will be built west of their existing restaurant on West 7th. The new building will be built on part of the existing parking lot at the corner of West 7th and Chestnut, and is designed to connect to, and blend in with, their existing building. They would build new parking on property they own at 212 Smith Street (north of the existing building).
- This project will double the size of the existing Cossetta building.
- The size of the Market will increase from 1,200 square feet to approximately 3,200 square feet. This expansion will allow for the introduction of many new products, including specialized breads and pastries, an espresso bar, and a wine shop.
- Restaurant capacity will more than double, from 200 seats to approximately 450 seats.

CONFORMANCE WITH THE COMPREHENSIVE PLAN

Minnesota Statutes, Sections 469.001 to 469.047 requires comment from the Planning Commission prior to the City Council and HRA approving modifications to the Redevelopment Plan. The Planning Commission needs to find that the Redevelopment Plan is in conformance with the Comprehensive Plan.

The amendment of the *Redevelopment Plan for the Riverfront Redevelopment Project Area* to include the block bounded by West 7th Street, Chestnut Street, Smith Avenue and Kellogg Boulevard is in conformance with the following chapters of the Comprehensive Plan:

Land Use Plan (2010)

Strategies

- 1.28 Promote conditions that support those who live and work along Mixed Use Corridors, including frequent transit service, vibrant business districts, and a range of housing choices.
- 1.46 Encourage the expansion of compact commercial areas in Neighborhood Centers and Mixed Use Corridors to further the objectives of both categories of neighborhoods.

District 9 Plan (2010)

Strategies

- 16. Support "nodes" of retail businesses at the intersections of W. 7th and Kellogg, Smith, St. Clair, Jefferson, Randolph and Montreal/Lexington, rather than a continuous strip of retail throughout the length of W. 7th.
- 49. Concentrate commercial activity at key nodes along W. 7th to improve viability of businesses. These include the intersections of W. 7th with Kellogg, Grand, St. Clair, Jefferson, Randolph, Otto and Montreal.
- 66. Promote new development that will fully utilize existing transit services, and encourage continued and improved transit facilities.

Seven Corners Gateway Plan (2001/2005)

The Seven Corners Gateway Plan, while not officially adopted as part of the Comprehensive Plan, has been endorsed by the City Council as general development policy for the Seven Corners Gateway Area. It recommends strengthening the Main Street character of W. 7th Street and maintaining land use diversity along the corridor. The Plan shows infill development adjacent to Cossetta's similar to the footprint being proposed by Cossetta's.

COMMITTEE RECOMMENDATION

The Neighborhood Planning Committee recommends that the Planning Commission find the amendment of the *Redevelopment Plan for the Riverfront Redevelopment Project Area* to include the block bounded by West 7th Street, Chestnut Street, Smith Avenue and Kellogg Boulevard in conformance with the Comprehensive Plan, and that it forward this finding to the City Council/HRA.

Attachments

city of saint paul
planning commission resolution
file number
date

AMENDMENT OF

REDEVELOPMENT PLAN FOR THE RIVERFRONT REDEVELOPMENT PROJECT AREA

WHEREAS, Minnesota Statutes, Sections 469.001 to 469.047, authorizes the creation of "redevelopment projects;" and

WHEREAS, a "redevelopment project" is defined in Section 469.002, subdivision 14, as any undertaking to (1) acquire blighted areas and other real property to remove, prevent or reduce blight, blighting factors or the causes of blight; (2) clear acquired land and install streets, utilities and site improvements to prepare the site for development consistent with an adopted redevelopment plan; (3) sell or lease land; (4) prepare a redevelopment plan and other technical and financial plans for site improvements and land development; or (5) conduct an urban renewal project; and

WHEREAS, the Housing and Redevelopment Authority of the City of Saint Paul, Minnesota has prepared a modification to the *Redevelopment Plan for the Riverfront Redevelopment Project Area* to expand the Project Area to include the block bounded by W. 7th, Street, Chestnut Street, Smith Avenue and Kellogg Boulevard; and

WHEREAS, Minnesota Statutes, Sections 469.001 to 469.047, require comment from the Planning Commission prior to the City Council and HRA approving the amended Redevelopment Plan; and

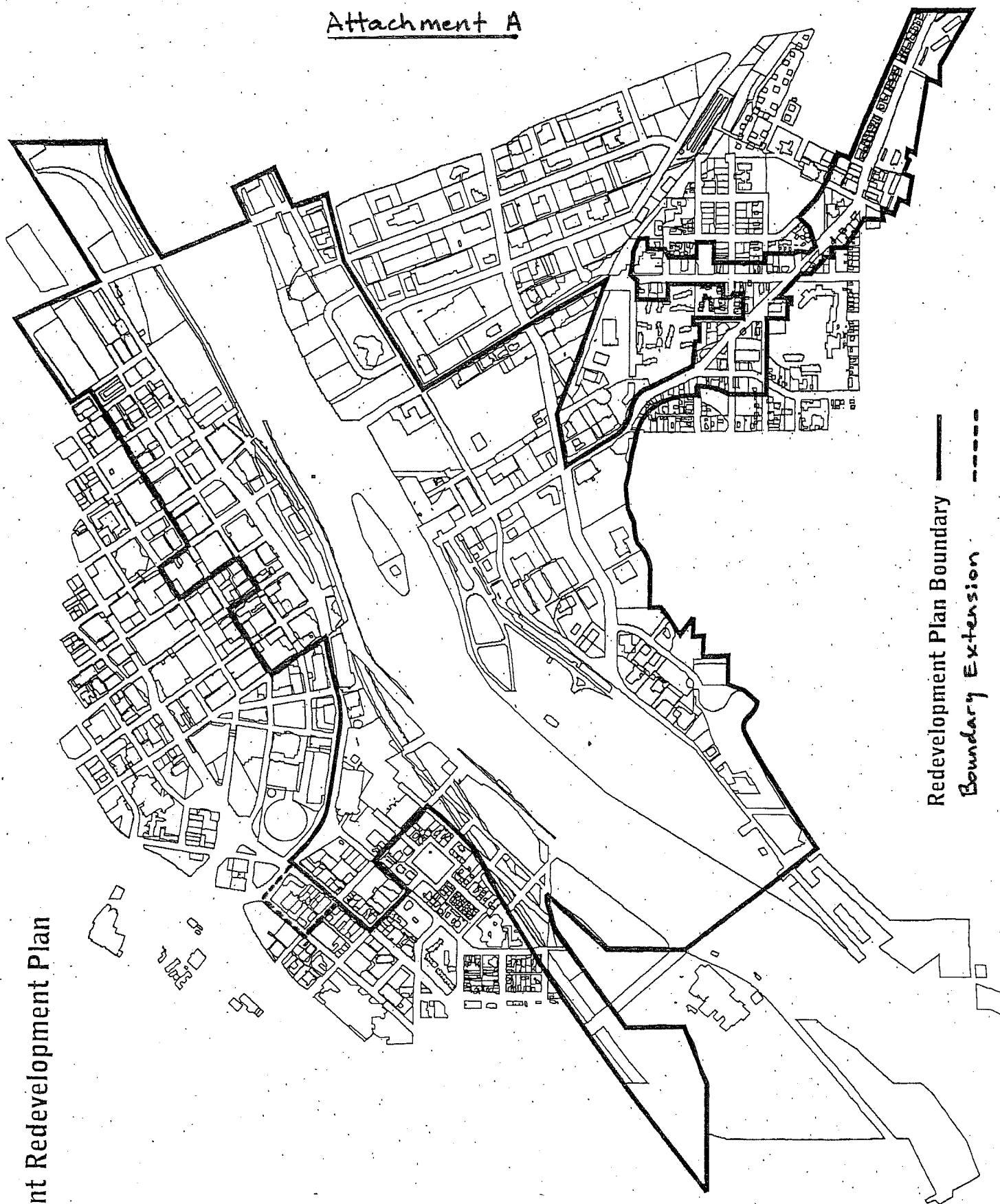
WHEREAS, new private investment that fully realizes the potential of the Project Area and meets City goals and objectives is unlikely to occur unless public actions commence to prepare the Project Area for redevelopment and guide its transformation.

NOW, THEREFORE, BE IT RESOLVED, that the Saint Paul Planning Commission hereby finds that the proposed amendment to the *Redevelopment Plan for the Riverfront Redevelopment Project Area* to include the block bounded by W. 7th, Chestnut, Smith Avenue and Kellogg Boulevard conforms to the general plan for development of the City of Saint Paul as a whole and with the City's Comprehensive Plan, and therefore recommends the amended Redevelopment Plan to the City Council and HRA for approval.

moved by _____
seconded by _____
in favor _____
against _____

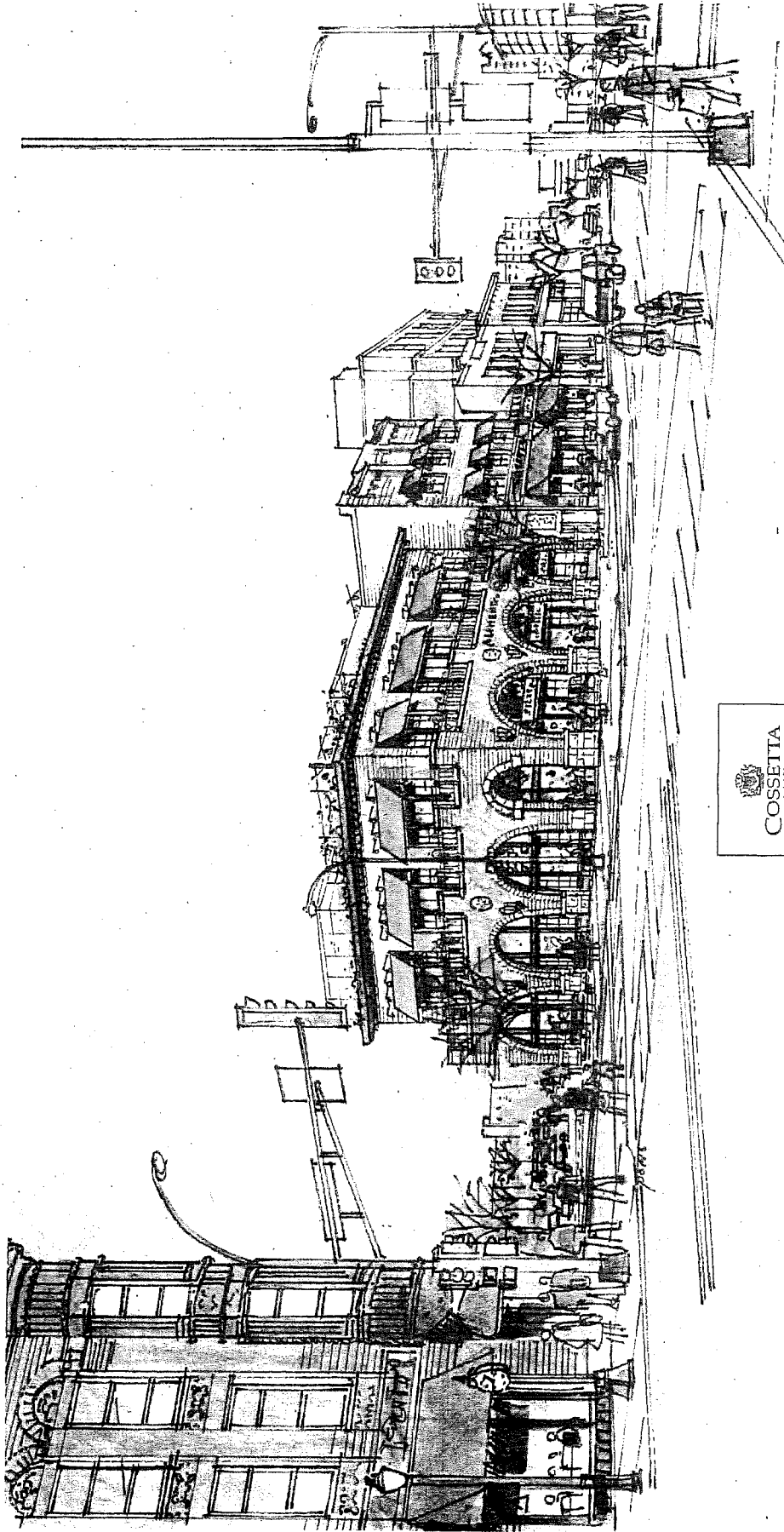
Attachment A

Riverfront Redevelopment Plan

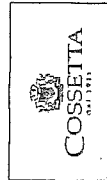


Redevelopment Plan Boundary ———
Boundary Extension - - - - -

Attachment B



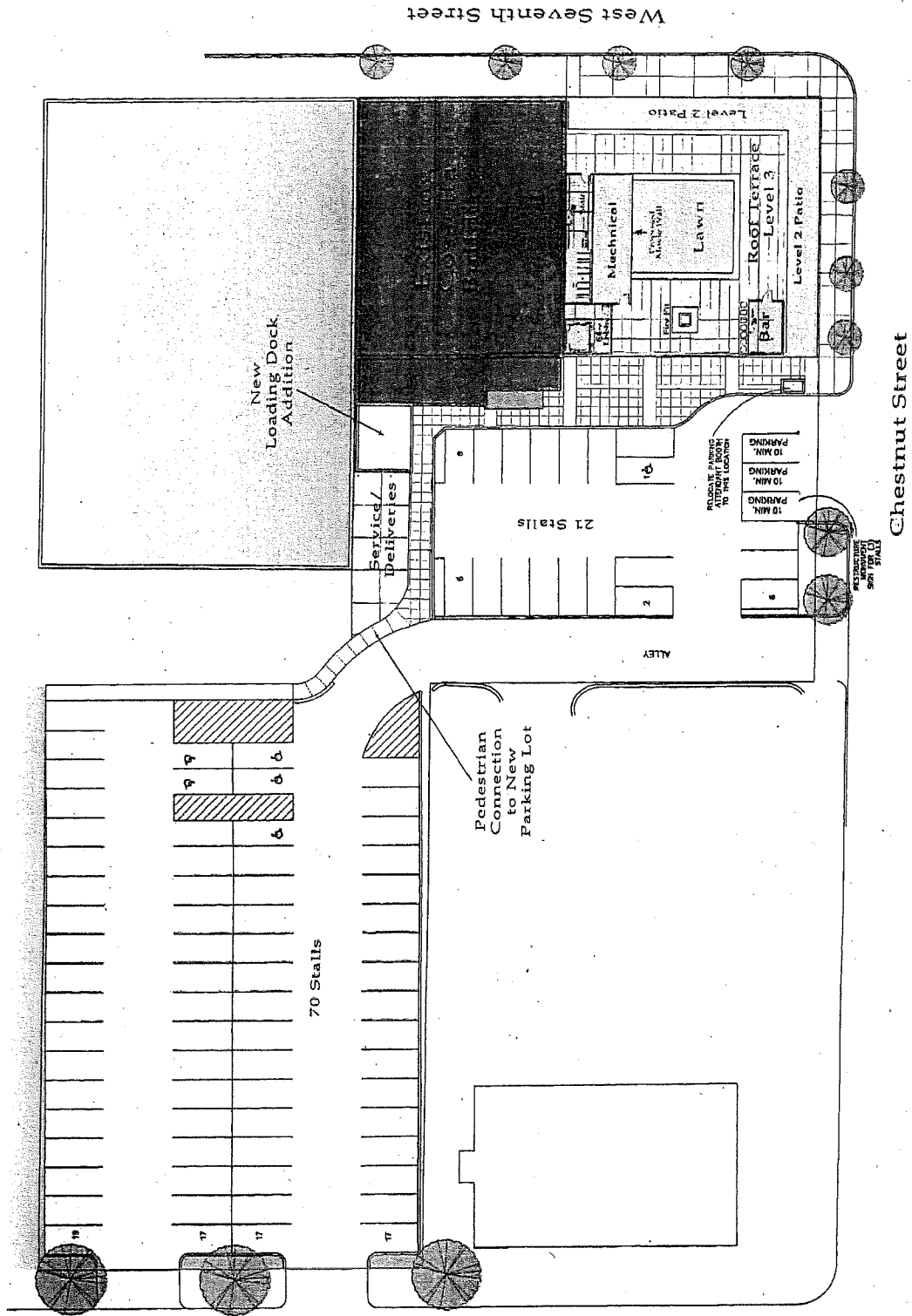
MARCH 2, 2011



A L I M E N T A R I

PIZZERIA · SALUMERIA · PANETTERIA
PASTICCERIA · VINERIA · ROSTICCERIA

Attachment B



COSSETTA • EVENTI • ITALIAN BAKERY | COSSETTA SITE PLAN

ITALIAN BAKERY